



Attorney's Docket No TRW(AEC)5797

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Cornelius Peter

Application No.: 09/836,763

Group No.: 3654

Filed: April 17, 2001

Examiner: William Arauz Rivera MAR 13 2003

For: BELT RETRACTOR

RECEIVED

OFFICE OF PETITIONS

Assistant Commissioner for Patents  
Washington, D.C. 20231

PETITION TO WITHDRAW HOLDING OF ABANDONMENT  
OFFICE ACTION NOT RECEIVED (37 CFR 1.181)

NOTE: The Notice of October 25, 1993, 1156 O.G. 53 states (in part): "In order to minimize costs and burdens to the practitioner and the Office when an application has become abandoned due to a failure to receive an Office action, the Office is modifying the showing required to make a petition to withdraw the holding of abandonment grantable. The showing required to establish the failure to receive an Office action[n] must consist of a statement from the practitioner stating that the Office action was not received by the practitioner and attesting to the fact that a search of the file jacket and docket records indicates that the Office action was not received. A copy of the docket record where the non-received Office action would have been entered had it been received and docketed must be attached to and referenced in practitioner's statement."

1. I hereby petition to withdraw the holding of abandonment in this case, on the basis that the Office Action forming the basis of the abandonment was not received.
2. I hereby state:
  - (a) The Office Action indicated as mailed on August 27, 2002 (Date), was not received.
  - (b) A search of the file jacket and the docket records in my office indicates that this Office Action as not received.

CERTIFICATION UNDER 37 C.F.R. §§1.8(a) and 1.10\*  
(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)

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I hereby certify that on this date shown below, this correspondence is being:

MAILING

- ☒ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

37 C.F.R. §1.8(a)

37 C.F.R. § 1.10\*

- ☒ with sufficient postage as first class mail.

☐ as "Express Mail Post Office to Addressee"  
Mailing Label No. \_\_\_\_\_ (mandatory)

TRANSMISSION

- ☐ transmitted by facsimile to the Patent and Trademark Office.

Signature

Anita J. Galo

(type or print name of person certifying)

Date: March 4, 2003

\*WARNING: Each paper or fee filed by Express Mail must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. § 1.10(b).  
"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

(Petition to Withdraw Holding Abandonment - Office Action Not Received [9-45]-Page 1 of 2)

03/12/2003 SLUANG1 00000035 09836763

01 FC:1460

130.00 OP

3. I attach a copy of the docket record where the non-received Office Action would have been entered had it been received and docketed.

4. ☒ As additional evidence of non-receipt of the Office Action, I also attached

NOTE: In the Notice of Oct. 25, 1993, 1156 O.G. 53, it is pointed out that evidence which previously was typically required included the following items, which petitioner can optionally submit.

☐ Copies of records that would disclose the receipt of other correspondence mailed from the PTO on or about their mail date of the non-received Office Action that fail to disclose the receipt of the Office Action mailed on that date.

☒ Copies of records on which the Office Action would have been entered had it been received.

☒ Statements from the person(s) who would have handled the Office Action had it been received.

☐ Other:

5. In consideration of these submissions, it is respectfully requested that the holding of abandonment be withdrawn.

NOTE: As the Notice of Oct. 25, 1993, 1156 O.G. points out: "Two additional procedures are available for reviving an application that has become abandoned due a failure to respond to an Office Action: (1) a petition based on unintentional abandonment or delay; and (2) a petition based on unavoidable delay. See Manual of Patent Examining Procedure § 711.03(c)."

6. The petition fee (37 C.F.R. § 1.17(h)-\$130.00) is paid as follows:

☒ Attached is a ☒ check ☐ money order in the sum of \$130.00

☒ Authorization is hereby made to charge the amount of \$0.00

☒ to Deposit Account No. 20-0090

☐ to Credit card as shown on the attached credit card information authorization form PTO-2038.

**WARNING:** Credit card information should **not** be included on this form as it may become public.

☒ Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

  
SIGNATURE OF ATTORNEY

Thomas L. Tarolli  
(type or print name of attorney)

Reg. No.: 20,177

Tel. No.: (216) 621-2234

Tarolli, Sundheim, Covell  
& Tummino L.L.P.  
526 Superior Avenue, Suite 1111  
P.O. Address

Cleveland, OH 44114-1400

Customer No.:

26,294

File No. TRW(AEC) 5797 PROTECT# 07  
 Client Ref. 007704 Serial No. 09/836,763  
 Atty. TLT PHDZ T935905 Filed APRIL 17, 2001  
 Inventor PETER CORNELIUS  
 Title BELT RETRACTOR  
 KA:  
 Residence  
 City County State  
 O. Address State of Incorporation  
 Assignee TRW AUTOMOTIVE ELECTRONICS & COMPONENTS INTEREST  
 Assignment Executed 4.2.01 Recorded 4.17.01 Reel 1154 Frame 633

Related Applications	Foreign Applications
TO BERMAN APPN.	
0018972.5-82	
6.4-17-00	

**Actions and Amendments**

Nature	Date	Due Date	Nature	Date	Due Date
FILE NO: (AEC) 5797 ATTY: TLT					
DUE DATE: 07-25-2002 ( 20020725 )					
TRW AUTOMOTIVE / INIT: ( 20020425 )					
ACTION: 01 RES PER: 3 MONTHS DK1					
RESPONSE DUE / 878					
FILE NO: (AEC) 5797 ATTY: TLT					
DUE DATE: 10-25-2002 ( 20021025 )					
TRW AUTOMOTIVE / INIT: ( 20020425 )					
ACTION: 01 RES PER: 6 MONTHS DK1					
6 Month Follow-up Notice / 879					

owed Client Notified  
 al Fee Due Fee Paid Add'l Fee Paid  
 ent Date Patent No.  
 eign Associate:

FILE NO: (AEC) 5797 ATTY: TLT  
 CLIENT: TRW AUTOMOTIVE ELECTRONIC  
 Title: BELT RETRACTOR  
 DATE: 05-15-2001 TYP: P ST: P  
 8738



PATENT

I HEREBY CERTIFY THAT THIS CORRESPONDENCE  
IS BEING DEPOSITED WITH THE U.S. POSTAL  
SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE  
ADDRESSED TO: ASSISTANT COMMISSIONER FOR  
PATENTS, WASHINGTON, D.C. 20231, ON

March 4, 2003  
Amitas J. Hala 03/04/2003  
SIGNATURE DATE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Cornelius Peter  
Serial No. : 09/836,763  
Filing Date : April 17, 2001  
For : BELT RETRACTOR  
Group Art Unit : 3654  
Examiner : William Arauz Rivera  
Attorney Docket No. : TRW(AEC)5797

Assistant Commissioner for Patents  
Washington, D.C. 20231

STATEMENT OF RICHARD KLINE FOR ADDITIONAL  
EVIDENCE OF NON-RECEIPT OF THE NOTICE OF ALLOWANCE

Sir:

I, Richard Kline, state that I would have handled the  
Notice of Allowance had it been received.

Respectfully submitted,

Richard Kline  
Customer No.: 26,294

TAROLLI, SUNDHEIM, COVELL,  
& TUMMINO L.L.P.  
526 Superior Avenue, Suite 1111  
Cleveland, Ohio 44114-1400  
Phone: (216) 621-2234  
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Anita J. Malo  
SIGNATURE

03/04/2003  
DATE

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Examiner : William Arauz Rivera  
Attorney Docket No. : TRW(AEC)5797

Assistant Commissioner for Patents  
Washington, D.C. 20231

STATEMENT OF SHARYN KUZMA FOR ADDITIONAL  
EVIDENCE OF NON-RECEIPT OF THE NOTICE OF ALLOWANCE

Sir:

I, Sharyn Kuzma, state that I would have handled the  
Notice of Allowance had it been received.

Respectfully submitted,

Sharyn Kuzma  
Sharyn Kuzma  
Customer No.: 26,294

TAROLLI, SUNDHEIM, COVELL,  
& TUMMINO L.L.P.  
526 Superior Avenue, Suite 1111  
Cleveland, Ohio 44114-1400  
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Fax: (216) 621-4072



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*Amelia J. Selo*  
SIGNATURE

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Assistant Commissioner for Patents  
Washington, D.C. 20231

STATEMENT OF THOMAS L. TAROLLI FOR ADDITIONAL  
EVIDENCE OF NON-RECEIPT OF THE NOTICE OF ALLOWANCE

Sir:

I, Thomas L. Tarolli, state that I would have handled the  
Notice of Allowance had it been received.

Respectfully submitted,

*Thomas L. Tarolli*  
Thomas L. Tarolli  
Reg. No. 20,177  
Customer No.: 26,294

TAROLLI, SUNDHEIM, COVELL,  
& TUMMINO L.L.P.  
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Cleveland, Ohio 44114-1400  
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Fax: (216) 621-4072

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GROUP 3600

UNITED STATES

Chrg. TRW Automotive Electronics & Components GmbH  
 Project No: 007704US  
 Charge: 007704US  
 File No.: TRW(AEC)5797  
 TLT/dd

Clt Ref.:

Attorney

ENTERED

TITLE

BELT RETRACTOR

AKA

INVENTOR(S)/ADDRESS(ES)

1) Cornelius Peter	2)	3)
street	street	street
city/state	city/state	city/state
country	country	country
4)	5)	6)
street	street	street
city/state	city/state	city/state
country	country	country

RELATED APPLICATIONS c. to German Appln. 100 18 972.5, f. 4-17-00

FOREIGN FILING

M. TO TRW	April 17	2001	Filed/Serial No. 09/836763	Filing Receipt	Group Art No. 3653
S.O.	October 17	2001	Pub. No. 2001-0030255-A1		
Do F.F.N.			Missing Parts		Large Entity <input type="checkbox"/> Small Entity <input type="checkbox"/>
			Restriction/Election		
	April	25	First Office Action		FILE NO: (AEC)5797 ATTY: TLT
			Second Office Action		CLIENT: TRW AUTOMOTIVE ELECTRONIC
			Final Rejection		Title: BELT RETRACTOR
					DATE: 05-15-2001 TYP: P ST: P

CPA Filed

Notice of Allowance

Issue Fee Paid

Issued Patent No.

Expiration Date

Assignee

Address

State of Incorporation

Executed

Recorded

Reel

11754

Frame

633

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## REFERENCES





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*Amato J. Hala*  
SIGNATURE

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Assistant Commissioner for Patents  
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LETTER

Sir:

Attached is a copy of the front cover of the application  
file jacket, on which the Notice of Allowance would have been  
entered had it been received.

Also, attached is a copy of the docket record where the  
non-received Notice of Allowance would have been entered had  
it been received and docketed.

Respectfully submitted,

*Thomas L. Tarolli*  
Thomas L. Tarolli

Reg. No. 20,177

Customer No.: 26,294

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